

SENATE BILL 1510

By Burchett

AN ACT to amend Tennessee Code Annotated, Section 57-3-207, to delete certain provisions of the Grape and Wine Law that impermissibly discriminate against interstate commerce, Section 57-3-401; to permit the transport of wine purchased from a winery licensed by the state of Tennessee, and Title 57, Chapter 1, Part 2 to authorize the Alcoholic Beverage Commission to assess inspection fees against licensees and permittees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-3-207(d), is amended by deleting in the first sentence the language "who are residents of the state of Tennessee and have been for at least two (2) years next preceding residents of the state, and".

SECTION 2. Tennessee Code Annotated, Section 57-3-207(d), is further amended by deleting in the second sentence the language "who have been residents of Tennessee for not less than two (2) years preceding and".

SECTION 3. Tennessee Code Annotated, Section 57-3-207 is amended by deleting subsection (f) in its entirety and by redesignating the remaining subsections accordingly.

SECTION 4. Tennessee Code Annotated, Section 57-3-207, is further amended by deleting subsections (k) and (l) in their entirety and by redesignating the remaining subsections accordingly.

SECTION 5. Tennessee Code Annotated, Section 57-3-207(o), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(o)

(1) Notwithstanding any law, rule or regulation to the contrary, any nonprofit association organized to encourage and support grape growing and

winemaking with ten (10) or more entities licensed by the commission under this section shall be allowed to hold not more than eight (8) wine festivals per calendar year. Each festival shall not exceed a period of seventy-two (72) hours.

SECTION 6. Tennessee Code Annotated, 57-3-207(o), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(o)

(2) Any winery licensed under this section electing to participate in a festival under this subsection (o) may transport, serve and offer complimentary samples of wines produced by such winery for tasting at such festival. The complimentary sample size shall be restricted to a one ounce (1 oz.) serving with only one (1) sample per person for each type of wine. Any person serving wine at such festival must hold a server's permit issued by the commission pursuant to part 7 of this chapter.

SECTION 7. Tennessee Code Annotated, 57-3-207, is amended by deleting subsection (i) in its entirety and by substituting instead the following:

(i) A winery licensed under this section may sell no more than five (5) cases or sixty (60) liters of wine to any single customer in one (1) day. Any other section of the law to the contrary notwithstanding, it shall be legal for any such purchaser to transport within this state any amount which the customer may legally purchase from a winery licensed under this section.

SECTION 8. Tennessee Code Annotated, 57-3-401, is amended by adding the following sentence to end of subsection (a):

Notwithstanding the limitations contained in this subsection (a), any individual, having purchased up to five (5) cases or sixty (60) liters of wine from a winery licensed by the commission under this title may transport such wine within, through or from this state.

SECTION 9. Tennessee Code Annotated, Title 57, Chapter 1, Part 2, is amended by adding a new, appropriately designated section thereto:

Section 57-1-2\_\_\_. In addition to the license and application fees imposed upon a licensee by the commission pursuant to chapters 2 and 3 of this title, the commission may impose an inspection fee to reimburse the commission for any inspection required upon any application or renewal based on the mileage between the nearest commission post of duty and the premises or location of the permittee or licensee.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.